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	REJECTION OVER A "PRIOR" PATENT	101136-00101	:
In re Applicat	pn of: Takaei SASAKI et al.		• !
Application N	n: 10/712,032		• •
Filed: Novem	er 14, 2003 :		. :
Thereof,	nd Apparatus for Dry-Etching Half-Tone Phase-Shift Films, Half-Tone Phase-Shift Photor and Semiconductor Circuits and Method for the Fabrication Thereof Divac Costing Corporation and		÷
the expiration and 173, and granted on the	ditsubishi Danki Kabushiki Kalsha , of 100 percent interest in trided below, the terminal part of the statutory term of any patent granted on the instant adate of the full statutory term prior patent No. 6,391,791 as the term of said as the term of said prior patent is presently shortened by any terminal disclaimer. The objection shall be enforceable only for and during such period that it and the pass with any patent granted on the instant application and is binding upon the grantee, its significant of the patent grantee.	prior patent is defined in 35 U.S.C wner hereby agrees that any pate rior patent are commonly owned	15
would extend patent is pres expires f	above disclaimer, the owner does not disclaim the terminal part of the term of any patent of the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the ently shortened by any terminal disclaimer, in the event that said prior patent later; realize to pay a maintenance fee; tenforceable:	granted on the instant application prior patent, "as the term of said ;	ı (ha priç
is found i	nvalid by a court of competent jurisdiction:		
is statuto has all cl	niy disclaimed in whole or terminally disclaimed under 37 CFR 1.321; sims canceled by a reexamination certificate;		
is reissue	d; or nanner terminated prior to the expiration of its full statutory term as presently shortened b	u man tarasimal displatas	
10 11 011		y eny terminal disclaimer.	į
Check either t	ox 1 or 2 below, if appropriate.		. !
1. For s etc.),	ubmissions on behalf of a business/organization (e.g., corporation, partnership, university, the undersigned is empowered to act on behalf of the business/organization.	government agency,	• ;
made are bein	by declare that all statements made herein of my own knowledge are true and that all eved to be true; and further that these statements were made with the knowledge that the shable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United Son y jeppardize the validity of the application or any patent issued thereon.	villful falca elatomanta and the ID	D. 0.5
2. 📝 The	indersigned is an attorney or agent of record. Reg. No. 34,794		
	Robert the Carente	Footoning In See	·
	Signature	September 12, 2005 Date	+
	Robert K, Carpenter Typed or printed name		-
	Types or prime fronts		-
!	_	(202) 857-6495	<u>: İ</u>
[7] -		Telephone Number	• ;
LY len	ninal disclaimer fee under 37 CFR 1.20(d), should be charged to Daposit Account No.: 01-	•	::
	WARNING: Information on this form may become public. Credit card information be included on this form. Provide credit card information and authorization of	don should not n PTO-2038.	
*Statement un Form PTO/SB/	der 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). 98 may be used for making this certification. See MPEP § 324.		; '
This collection of	information is required by 37 CFR 1,321. The information is required to obtain or retain a benefit by th	a guidita indiah ia ka dia 2 - 4 han a - 110	_

In the detection of information is required by \$7 CFN 1,321. The information is required by obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes in complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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TER	MINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) 101136-00101
In re Application	on of: Takeel SASAKI et al.	
Application No	.: 10/712,032	:
Filed: Novemb	er 14, 2003	, 1
For: Method a Thereof,	nd Apparatus for Dry-Etching Half-Tone Phase-Shift Films, Half-Tone Phase-Shift Photor and Semiconductor Circuits and Method for the Fabrication Thereof	masks and Method for the Preparation
The owners, A except as prov the expiration of and 173, and a granted on the agreement run	ilvac Coating Corporation and illustration of 100 percent interest in the indeed below, the terminal part of the statutory term of any patent granted on the instant a fate of the full statutory term prior patent No. 6,644,117 as the term of said is the term of said prior patent is presently shortened by any terminal disclaimer. The orientant application shall be enforceable only for and during such period that it and the part of the patent granted on the instant application and is binding upon the grantee, its significant of the patent grantee.	application which would extend beyond prior patent is defined in 35 U.S.C. 154 wher hereby agrees that any patent ad rior patent are commonly owned. This uccessors or assigns.
patent is prese	above disclaimer, the owner does not disclaim the terminal part of the term of any patent the expiration date of the full statutory term as defined in 35 U.S.C. 164 and 173 of the mity shortened by any terminal disclaimer," In the event that said prior patent later: régiure to pay a maintenance fea; enforceable:	granted on the instant application the prior patent, "as the term of seid prior
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is statutor has all cia	ily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; ims canceled by a reexamination cartificate;	į
is reissued is in any n	f; or nanner terminated prior to the expiration of its full statutory term as presently shortened b	y any terminal disclaimer.
	ox 1 or 2 below, if appropriate.	1
etc.), t	bmissions on behalf of a business/organization (e.g., corporation, partnership, university, he undersigned is empowered to act on behalf of the business/organization.	government agency,
made are punis	by declare that all statements made herein of my own knowledge are true and that all yed to be true; and further that these statements were made with the knowledge that the shable by fine or imprisonment, or both, under Saction 1001 of Title 18 of the United Statements the validity of the application or any patent issued thereon.	AND I folio alabamanta a calib a con '
2. 7 The u	ndersigned is an attorney or agent of record. Reg. No. 34,794	•
	Robert Carant	• ;
	Signature	September 12, 2005 ' Date
		. i
	Robert K. Carpenter	
	Typed or printed name	
		(202) 857-6495
		Telephone Number
✓ Term	inal disclaimer fee under 37 CFR 1.20(d), should be charged to Deposit Account No.: 01-2	2300
	WARNING: Information on this form may become public. Credit card information included on this form. Provide credit card information and authorization of	Uon should not n PTO-2038.
- COUNT FICUSERS	er 37 CFR 3.73(b) is required if terminal discialmer is signed by the assignee (owner). 6 may be used for making this certification. See MPEP § 324.	
Inis collection of it to process) an app including gathering on the amount of t	information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the placation. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is preparing, and submitting the completed application form to the USPTO. Time will vary depending the confidence of the confidence	e public which is to file (and by the USPTO estimated to take 12 minutes to complete, I upon the individual ceae. Any comments

on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT BEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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